S.B. CRL. MISC. PETITION NO.806/2006

Gheesa & Anr.
Vs.
State of Rajasthan & Anr.

Date :: 05.07.2006

HON'BLE MR. JUSTICE H.R. PANWAR

None appears for the petitioner.

This criminal misc. petition under Section 482 Cr.P.C. was filed on 12.11.2005, seeking quashing of FIR No.459/2005 dated 19.07.2005 Police Station Kotwali.

The office has pointed out as many as two defects. For more than 7 to 8 months, the defects pointed out by the office were not removed. The matter was listed before this Court on 03rd July, 2006. No one appeared for the petitioner. However, the defects pointed out by the officer were waived and the matter was ordered to be listed for admission. Today also no one appears for the petitioner despited repeated calls.

I have carefully gone through the material available on record and also the FIR in question. On close scrutiny of FIR, it discloses cognizable offence. The allegation against the present petitioners is that by impersonation they got a general power of attorney executed in their favour in the name of complainant though complainant never appeared before the Sub Registrar

and executed the alleged general power of attorney and on the basis of general power of attorney, the complainant's land was got transferred in the name of petitioner. Since the FIR discloses the cognizable offence mentioned therein, therefore, no case for quashing of FIR is made out.

The instant criminal misc. petition seeking quashing of FIR is dismissed.

[H.R. PANWAR],J.

Ashwini/-